

REMARKS

The Final Office Action of August 10, 2011, was received and carefully reviewed. Claims 1-19 and 33-35 were pending in this application prior to the instant amendment. By this amendment, claims 1-8 are amended herein. No new matter has been added. Thus, claims 1-19 and 33-35 remain currently pending for consideration.

The Office Action objects to the drawings under 37 C.F.R. § 1.83(a), because they allegedly “fail to provide sufficient showing for the ... limitations in claims 1-8 and as described in the specification” (page 2, page 2, Paper No. 20110805). The Office Action specifically refers to the recitation of “a second conductive layer **including at least one of Ag, Au, Pt, Ir, Rh, W, Al, Cd, Zn, Zr, Ba, In** on and in contact with the first insulating layer and the first conductive layer” (emphasis in original, *id.*) and notes that “Examiner had interpreted reference numeral 104 (Fig. 18a) as the second conductive layer” (pages 2-3, *id.*). Also, the Office Action objects to the claims citing the same features (pages 4-5, *id.*).

In response, Applicants amend claims 1-8 so as to remove the recitation “including at least one of Ag, Au, Pt, Ir, Rh, W, Al, Cd, Zn, Zr, Ba, In” without prejudice or disclaimer. Also, Applicants respectfully submit that the feature of a second conductive layer is supported in the present specification, for example, by at least 104 in Figure 18A. Accordingly, Applicants respectfully request that the objections be reconsidered and withdrawn.

Claims 1-10, 16, 18, 19 and 33-35 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of U.S. Pat. App. Pub. No. 2002/0030189 A1 to Ishikawa et al. (“Ishikawa”) in view of U.S. Patent No. 6,211,067 B1 to Chen (“Chen”) and U.S. Patent No. 4,600,933 to Richman (“Richman”), or, in the alternative, being unpatentable over Ishikawa in view of Chen and U.S. Pat. Pub. No. 2003/0141565 to Hirose et al. (“Hirose”). Claims 11 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishikawa, Chen, Richman¹ and Hirose, and further in view of U.S. Pat. App. Pub. No. 2002/0132396 A1 to Yamazaki et al. (“Yamazaki”). Claims 13 and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishikawa, Chen, Richman and Hirose. Claims 14 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishikawa, Chen, Richman and Hirose, and further in view of U.S. Pat. App. Pub. No. 2001/0013913 A1 to

¹ On pages 25 and 26 of the Office Action, the Examiner refers to “Richmond” while rejecting claims 11- 15 and 17. Applicants understand that the Examiner intended to cite “Richman” and respond accordingly herein. Clarification by the Examiner is respectfully requested should this understanding be incorrect.

Young ("Young"). These rejections are traversed at least for the reasons advanced in detail below.

Without conceding in detail the merits of the Examiner's rejections, Applicants herein amend independent claims 1-8 to recite, *inter alia*: "a first conductive layer including one of silver or copper fitted in the first opening." *Emphasis added*. These amendments are supported by, for example, page 30, line 18 to page 31, line 5, and page 32, line 24 to page 33, line 12, of the instant application's original specification. Claims 1-8 already recite "wherein the first conductive layer is thicker than the second conductive layer in a vertical direction." A conductive layer including one of silver or copper has a low resistance value; therefore, a gate wiring layer or capacitor wiring having relatively higher reliability and lower resistance can be formed. These advantages are achieved in combination with the feature that a first conductive layer is thicker than the second conductive layer in a vertical direction. Applicants respectfully submit that Ishikawa, Chen, Richman, Hirose, Yamazaki and/or Young, whether taken alone or in combination, fail to disclose, suggest or render obvious at least the newly recited features of the claimed invention.

Since Ishikawa, Chen, Richman, Hirose, Yamazaki and/or Young do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

In view of the foregoing, Applicants respectfully request allowance of the instant application. If a conference would be helpful in expediting prosecution of the instant application, the Examiner is invited to telephone the undersigned to arrange such a conference.

Respectfully submitted,

NIXON PEABODY, LLP

/Robert L. Pilaud, Reg. No. 53,470/

Robert L. Pilaud

Registration No. 53,470

NIXON PEABODY LLP
CUSTOMER NO.: 22204
401 9th Street, N.W., Suite 900
Washington, DC 20004
Tel: 202-585-8000
Fax: 202-585-8080